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BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 90-678-E - ORDER NO. 91-96  
JANUARY 25, 1991

IN RE: Petition of Duke Power Company for ) ORDER  
Approval of the Sale of Property ) APPROVING  
to the City of Westminster, South ) TRANSFER  
Carolina.

On October 8, 1990, Duke Power Company (the Company or Duke) filed a Petition with the Public Service Commission of South Carolina (the Commission) requesting authorization to sell to the City of Westminster (the City) certain real property, personal property and easement rights belonging to the Company. The Petition was filed pursuant to S.C. Code Ann., §58-27-1300, (1976) as amended. The real property consists of a 0.46 acre portion of Duke's Westminster Main Substation lot; the personal property consists of 0.48 miles of a 4 kv transmission line and associated equipment used to transmit electricity to the City of Westminster; and the easement rights include right, title and interest in and to utility right-of-way easements on land lying beneath the 4 kv line to be transferred.

This matter was duly noticed to the public and a hearing was held in the Commission's Hearing Room on January 3, 1991, at 10:30 a.m., the Honorable Marjorie Amos-Frazier, presiding. William Larry Porter, Esquire, Jeff D. Griffith, Esquire, and Carol Page,

Esquire, represented the Company and Marsha A. Ward, General Counsel, represented the Commission Staff. No one appeared in opposition to the transfer. The Commission, at the close of the hearing and in response to the motion made by Duke's counsel, ruled in favor of the transfer. This Order serves to memorialize the Commission's ruling approving the transfer of the subject property.

The Company presented the testimony of Alpha M. Neely, Manager, Resale and Interconnections in the Catawba/Resale Contracts Administration Group. Mr. Neely discussed the sale of the property to the City of Westminster as described in Duke's Petition filed with the Commission.

Based upon the information filed by the Company and the evidence presented at the hearing, the Commission makes the following findings and conclusions:

1. That the Company is a public utility engaged in the generation, transmission, distribution and sale of electric energy in the central portion of North Carolina and the western portion of South Carolina.

2. That the Company currently maintains a 4 kv transmission line from a distribution delivery station jointly used by the Company and Piedmont Municipal Power Agency (PMPA) to serve the City of Westminster. The City of Westminster wishes to upgrade its electrical transmission and distribution system. The Company will provide to PMPA, for service to the City, transmission voltage through a new delivery point at the City's desired

location, and the City will provide the equipment and substation facilities to achieve the appropriate step down, pursuant to Sections 15.6 and 15.7 (c) of the Duke Power Company - PMPA Interconnection Agreement, dated August 1, 1990, as amended.


3. That at the request of PMPA and the City of Westminster, the Company has executed an Agreement of Sale and Purchase (attached to the Petition as Exhibit 1) pursuant to which the City will pay to Duke the sum of \$45,000 as the purchase price for the real and personal property and easement rights as set forth in the Company's Petition.

4. That the sale contemplated by the Agreement of Sale and Purchase will be to the benefit of the Company and to its customers, in that it will help Duke to more appropriately allocate its transmission resources in the area.

5. That the Commission finds that the sale of the instant property is in the interest of the public and that therefore, pursuant to S.C. Code Ann., Section 58-27-1300 (1976), as amended, the Commission hereby approves the sale of the real and personal property and easement rights to the City of Westminster.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Deputy Executive Director

(SEAL)